SPECIAL CITY COUNCIL MEETING

The City Council of the City of Raleigh met in a special meeting on Thursday, April 18, 1985, at 11:00 p.m. in the City Council Chamber, Raleigh Municipal Building-222 with the following present:

Mayor Upchurch, Presiding
Ms. Block
Mr. Calloway
Ms. Cates
Mr. Congleton
Mr. Keller
Mr. Walters

Ms. Babb-Absent and Excused

Mayor Upchurch called the meeting to order indicating the purpose of this special meeting is to consider four city initiated annexations as well as other matters that may come before the Committee.

ANNEXATIONS - SOMMERSET NORTH MARKET SQUARE; NORTH BOULEVARD COMMERCIAL; TRYON HILL INDUSTRIAL AND STATE COMPLEX; FARM FARM COMMERCIAL - HEARINGS - TO BE PLACED ON MAY 7, 1985 AGENDA

Mayor Upchurch pointed out this will be four separate hearings to consider the following four city initiated annexations:

1. Sommerset North Market Square
2. North Boulevard Commercial
3. Tryon Road Industrial and State Complex
4. Farm Fresh Commercial

It was pointed out these procedures are pursuant to the authority vested in the City Council of the City of Raleigh by Part 3, Article 4A, Chapter 160A of the General Statutes of North Carolina. The City Clerk is hereby certifying to the City Council that proper notification and advertising procedures have been followed. Maps of all areas under consideration were available at the meeting.

City Manager Benton made a statement relative to actions that have taken place and procedures that have been followed on these annexations to this point. He explained actions that will take place following today's hearing explaining it is four separate hearings. Prior to each hearing, Assistant Planning Director Breazeale explained how the area qualifies for annexation, services to the area, character of the area and work with the volunteer fire departments. He explained the boundaries, capital cost as well as annual operating cost on each area. Utilizing a map, he explained the boundaries of each area. The Mayor opened and closed the hearing on each area as follows:

1. Sommerset North Market Square - No one ask to be heard.

2. North Boulevard Commercial - No one ask to be heard.

3. Tryon Road Industrial and State Complex - No one ask to be heard.

4. Farm Fresh Commercial - No one ask to be heard.

By general consensus, it was agreed that the four annexations will be placed on the May 2 Agenda for further consideration.

AGENDA - ADDED ITEMS - WAIVER FORM RECEIVED

Mayor Upchurch indicated Ms. Babb is absent and excused from the Council meeting, however, there are several items that various Council Members would like to bring up and discuss. One item relates to the text change relative to cluster development and Mr. Congleton would like to bring up SC-2-85, SC-14-85 and SC-15-85 - three signs that were referred to the Law and Finance Committee. Mayor Upchurch indicated we have received a waiver form from Ms. Babb allowing these items to be discussed.

TEXT CHANGE - CLUSTER DEVELOPMENT - PUBLIC HEARING AUTHORIZED

Mayor Upchurch indicated at the last Council Meeting, Ms. Cates brought up an item relative to a proposed text change relating to cluster development. He indicated the item was referred to this meeting in order to give Council Members an opportunity to see the proposal. He explained Assistant Planning Director Breazeale has indicated that this proposed text change had been moving through the Planning Department and the next step would be to go to public hearing. Mr. Congleton moved that the proposed text change relating to cluster development be placed on the Agenda for May public hearing. His motion was seconded by Mr. Keller and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

SIGNS - SC-2-85 - KENTUCKY FRIED CHICKEN SIGN - APPROVED WITH CONDITIONS; SC-14-85 - P. D. QUIX SIGN - APPROVED; SC-15-85 - UNIVERSAL PRINTING SIGN - APPROVED WITH CONDITIONS; POSSIBLE CHANGES RELATING TO ON-SITE PREMISE SIGNS - REFERRED TO ADMINISTRATION FOR REPORT BACK TO COUNCIL

Mr. Congleton indicated there were three signs on the April 16 Agenda which he had requested to be referred to Law and Finance Committee. This action was taken. Mr. Walters moved that SC-2-85, SC-14-85 and SC-15-85 be withdrawn from the Law and Finance Committee Agenda and discussed at today's meeting. His motion was seconded by Mr. Keller and put to a vote which passed unanimously. It was pointed out the three signs are as follows:

(1) SC-2-85 - Kentucky Fried Chicken Sign

This was a request for approval to construct a 173 square foot freestanding sign on a 0.47 acre parcel, which is zoned Shopping Center. The site is under construction as a restaurant.

The property is located on the west side of Falls of Neuse Road, just north of Spring Forest Road.

CR-5490 from the Planning Commission recommended that this request be approved according to a map entitled, "Kentucky Fried Chicken Sign," the property of Kentucky Fried Chicken, drawn by Watco, Incorporated, dated February 14, 1985, with the condition that the "bucket" logo be removed from the sign which will bring the remaining sign into conformance with the City Code.

(2) SC-14-85 - P. D. Quix Sign

This was a request for approval to construct a 140 square foot freestanding sign on 0.9 acre, zoned Shopping Center, developed with a restaurant.

The property is located on the west side of Falls of Neuse Road, just south of Sandy Forks Road, inside the City Limits.

CR-5491 from the Planning Commission recommended that this request be approved according to a map entitled, "P. D. Quix Sign," the property of Restaurant Ventures, drawn by Allen Displays, Incorporated, dated February 26, 1985.

(3) SC-15-85 - Universal Printing Sign

This was a request for approval to construct a 104 square foot freestanding sign on a 0.3 acre parcel which is developed as a commercial building, zoned Shopping Center.

The property is located on the west side of Falls of Neuse Road, just south of Sandy Forks Road, inside the City Limits.

CR-5492 from the Planning Commission recommended that this request be approved according to a map entitled, "Universal Printing and Publishing Company, drawn by Art Sign, dated March 1, 1985, with the condition that one line of copy, or the logo," is removed so that the sign will conform to limitations of the existing sign ordinance.

Mr. Congleton indicated these three signs will be located within 50 feet of each other and this bought a question to his mind in terms of on-site signs. He indicated he recently attended a conference related to City assets and amenities and it started him thinking about our on-site signage. He explained this was a shopping center development that had some out parcels and by law, each out parcel is allowed to have an individual sign. He indicated if you look at these three proposals and the existing signs in that area, it makes you wonder what we are going to look like. He spoke on our sign ordinance and the billboard section pointing out we do allow on-site signs that are almost as big as billboards but the spacing for on-site signs is not the same. He indicated our existing ordinance allows this type particular signs to be approved. He stated, therefore, he feels that we have no alternative but to approve the three that are under consideration today. He stated in addition, he feels that we need to send a message to the business community asking them to realize even with the growth we desire to make our City attractive. We have to look at this situation. He stated, therefore, he would like to go ahead and establish a committee to begin looking at the sign ordinance as it relates to on-site signage. He stated he knew the Appearance Commission had looked at the sign ordinance originally and what he would like to suggest, at this point, is to ask Administration to come back to the first meeting in May suggesting a structure for a group of nine to ten people to look at the on-site sign issue. He indicated this group should include business leaders on both side of the issue, members from the Chamber, Appearance Commission, environmental groups, etc. He indicated he would like for this group to come back with a report to Council by the first meeting in August so that any changes could go to the September public hearing. Mayor Upchurch indicated as he understands, Mr. Congleton wants this proposed Committee to address the on-premise signs as it is written in the sign ordinance.

Ms. Block indicated she understands Mr. Congleton concerns and agreed with his comments until he suggested coming up with a new Committee to change our sign ordinance. She indicated she would be willing to send this to one of our existing Committees like the Appearance, but she does not want to form a new Committee with Mayor Upchurch indicating he, too, did not want to create a new Committee. Mr. Congleton indicated his concern in terms of creating a special committee is that he feels that it is extremely important that we get input from citizens from broad base, that is businesses that have to deal with it everyday and businesses that are not concerned with signs. He indicated he just wanted to make sure that we listen to all aspects. Ms. Block indicated the Appearance Commission would have the right to pull from the business community. After brief discussion, Mr. Congleton moved that we refer the on-site premises sign provision to our Appearance Commission with the request that they come back to the Council in a timely fashion so that any proposed changes could be heard for the September zoning hearing. His motion was seconded by Ms. Block.

Discussion took place relative to the Appearance Commission's work on the sign ordinance in the past. The problem with referring such items to Committee, the time involved, the need to get input, etc. Mr. Walters suggested referring the item to Administration first and letting them make some recommendations. In response to questioning, City Manager Benton indicated he hadn't given this a lot thought, but if the item were referred to Administration, he feels he would discuss it with members of the Development Community through a procedure that has been established recently for regular dialogue with representatives of the development community. He stated he would expect he would have some dialogue with this group get their ideas, information, feedback, etc., do the same with Staff and come up with a recommended text change. He pointed out ultimately the public hearing is where you would get input. Ms. Cates pointed out the Appearance could critique any proposed text change. Mr. Congleton and Ms. Block amended their motion to the extend that the on-premises sign provision of our sign ordinance would be referred to Administration to report back in a timely fashion for any proposed changes to be aired at the September zoning hearing. This amended motion was put to a vote and passed unanimously.

Ms. Cates moved that the Planning Commission recommendation on SC-2-85, SC-14-85 and SC-15-85 be approved as presented. Her motion was seconded by Mr. Congleton and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

Mr. Congleton indicated in terms of setting up the meetings to get input from the community on the sign ordinance, he feels it would be good if some of the City Council Members were involved and invited. He indicated when we come up with any proposed changes, he feels it is extremely important that the community, as a whole, realizes that the City is not trying to do something to hurt business. He pointed out in the area of the three signs under consideration, there are a couple of eating establishments-Shoney's and T. K. Tripp's that have no sign but have a tremendous business. He asked Mr. Benton to advise Council when this item is going to be discussed with some of the business leaders.

ADJOURNMENT

There being no further business, Mayor Upchurch announced the meeting adjourned at 11:30 a.m.

Gail G. Smith
City Clerk

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